

Paul H. Young, Esquire
Young, Marr & Associates, LLC.
3554 Hulmeville Road
Suite 102
Bensalem, PA 19020
215-639-5297
Fax : 215-639-1344
Email: ykassoc@gmail.com



Order Filed on March 9, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

IN THE UNITED STATES BANKRUPTCY	:
COURT DISTRICT OF NEW JERSEY	:
	: CHAPTER 13 CASE
IN RE:	:
David and Laura Archer	:
	: CASE NO. 14-19723 KCF
	:
	:
	: JUDGE: kCF
	:
	:
DEBTORS :	: HEARING DATE:

**ORDER GRANTING APPROVAL OF THE MORTGAGE LOAN
MODIFICATION AS TO BAYVIEW LOAN SERVICING**

The relief set forth on the following pages, numbered three (3) through ____3____ is
hereby **ORDERED**.

DATED: March 9, 2018



Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

THIS CAUSE coming on to be heard, and being heard, before the undersigned Judge of the United States Bankruptcy Court for District of New Jersey, pursuant to the Motion for an Order Approving Loan Modification as to Bayview Loan Servicing filed by the Debtors; and

IT APPEARING to the undersigned that this court has jurisdiction over the parties and over the subject matter of this Motion; and

IT FURTHER APPEARING to the undersigned that all parties in interest received notice of this Motion and of the time, date and place of this hearing and that no such parties have filed any timely objections or otherwise appeared in opposition to the said Motion and that the time for filing any such objection has expired; and

IT FURTHER APPEARING to the undersigned that the relief requested by the debtor in their Motion are consistent with the applicable provisions of Title 11 of the United States Code and that the debtors has established good and sufficient cause to grant said relief; and

IT FURTHER APPEARING to the undersigned that the Motion of the debtor's to Approve the Mortgage Loan Modification as to BAYVIEW LOAN SERVICING is granted;

ORDERED that the court hereby authorizes secured creditor and debtor to enter into a loan modification; and

IT IS FURTHER ORDERED that in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, secured creditor must withdraw its Proof of Claim or amend the arrearage portion to the amount paid to date or to zero (0) within thirty (30) days of completion of the loan modification; and

IT IS FURTHER ORDERED that the Chapter 13 Trustee will suspend disbursements to secured creditor pending completion of the loan modification. All money that would otherwise be paid to the secured creditor will be held until the

claim is withdrawn or amended to reflect the arrearage portion to the amount paid to date or to zero (0); and

IT IS FURTHER ORDERED that in the event the modification is not consummated, the secured creditor must notify the Trustee and debtors' attorney of same. Any money that were held by the Trustee pending the completion of the modification will then be paid to secured creditor; and

IT IS FURTHER ORDERED that in the event the Proof of Claim is amended to the amount paid to date, to zero or is withdrawn the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan.

IT IS FURTHER ORDERED that debtors must file an amended Schedule J and Modified Plan within twenty (20) days of this Order.

IT IS FURTHER ORDERED that communication and/or negotiations between debtors and mortgagees/mortgage servicers about loan modification will not be deemed as violation of the automatic stay, and any such communication or negotiation must not be used by either party against other in any subsequent litigation

IT IS THEREFORE SO ORDERED.

This Order has been signed electronically. The judge's signature and court's seal appear at the top of the Order

United States Bankruptcy Court

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
David Archer
Laura Archer
Debtors

Case No. 14-19723-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 09, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 11, 2018.

db/jdb +David Archer, Laura Archer, 2350 Old York Rd, Bordentown, NJ 08505-4410

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 11, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 9, 2018 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor M&T Bank dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor M&T Bank jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Paul H. Young on behalf of Debtor David Archer ykassoc@gmail.com,
lesliebrown.paralegal@gmail.com, tkennedy@ymalaw.com
Paul H. Young on behalf of Joint Debtor Laura Archer ykassoc@gmail.com,
lesliebrown.paralegal@gmail.com, tkennedy@ymalaw.com
R. A. Lebron on behalf of Creditor JPMORGAN CHASE BANK, N.A. bankruptcy@feinsuch.com
R. A. Lebron on behalf of Creditor M&T Bank bankruptcy@feinsuch.com

TOTAL: 9